

REMARKS

Claims 1, 6, 7, and 12 have been amended. Claims 15 and 18 have been cancelled. Claims 22-23 have been added. Claims 1-23 remain in the 5 application. A declaration under 37 CFR 1.131 is submitted herewith attesting to prior conception of the invention before the filing date of the Honda reference. Further examination and reconsideration of the application, as amended, is hereby requested.

10 Claim Objections

In Section 1 of the Office Action, the Examiner objected to claims 7 and 12 because of informalities. Applicant has amended claims 7 and 12 as recommended by the Examiner.

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Claim Rejections under 35 USC 112

In Section 3 of the Office Action, the Examiner rejected claims 1-6 under 35 20 USC 112, 2nd paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In particular for claim 1, the Examiner states that the phrase "said disk drive" lacks antecedent basis. Accordingly, the Applicant has amended claim 1 to remove this phrase. In particular for claim 6, the Examiner states that the limitations in claim 6 25 conflict with that of claim 1 from which it depends. Applicant has amended claim 6 to remove this conflict. Claims 2-5 depend on claim 1 and Applicant believes that the amendment to claim 1 obviates the rejection of claims 2-5. Withdrawal of the rejection under 35 USC 112, 2nd Paragraph for claims 1-6 is respectfully requested.

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Claim Rejections under 35 USC 102(e)

In Section 5 of the Office Action, the Examiner rejected claims 1-5, 7, and 35 10 under 35 USC 102(e) as being anticipated by Honda et al. Applicant is submitting herewith a declaration under 37 CFR 1.131 to "swear behind" the filing date of the Honda et al. reference. Accordingly, the rejection under 35 USC 102(e) is no longer proper and its withdrawal is respectfully requested.

Claim Rejections under 35 USC 103(a)

5 In Section 7 of the Office Action, the Examiner rejected claims 6, 8, 9, 11-14, 16-17, and 19-21 under 35 USC 103(a) as being unpatentable over Honda et al in view of Kahle. As previously stated, Honda et al is no longer an appropriate reference for a 103(a) rejection, therefore withdrawal of the rejection under 35 USC 103(a) is respectfully requested.

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Allowable Subject Matter

15 In Section 8 of the Office Action, the Examiner objected to claims 15 and 18 as being dependent upon a rejected base claim but that they would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has added new claims 22 and 23 which place claims 15 and 18, respectively, in independent format as requested. The Applicant wishes to express appreciation to the Examiner for allowance of 20 these claims.

25 Applicant's representative is submitting herewith a supplemental IDS under 37 CFR 1.56 found in review of the Honda reference's file wrapper and other publications that were brought to the attention of Applicant's representative. Additional consideration and allowance of claims 1-23 are respectfully requested.

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